



July 9, 2024

**FILED VIA ECF**

The Honorable George B. Daniels  
United States District Judge  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

The Honorable Sarah Netburn  
United States Magistrate Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re: Terrorist Attacks on September 11, 2001*, 03-md-1570 – Joinder in The New York Times Company’s Request Seeking the Timely Unsealing of Judicial Records

Dear Judge Daniels and Judge Netburn:

Pro Publica, Inc. (“ProPublica”) respectfully submits this letter to join the request to unseal judicial records filed yesterday by The New York Times Company (“The Times”). ECF No. 10067. That request joins Plaintiffs’ June 13, 2024 letter (ECF No. 9901) in respectfully asking (1) that the Court review the sealed documents under the applicable Second Circuit standard for unsealing, and (2) that the determination of sealing issues be made before there is a hearing on the dispositive motion so that the public has an opportunity to fully understand the evidence and legal arguments being presented.

ProPublica is a nonprofit newsroom dedicated to investigative journalism in the public interest. It has won numerous awards, including seven Pulitzer Prizes. ProPublica has reported extensively on the issues involved in this case, including questions surrounding the government’s disclosure of long-secret documents on the 9/11 investigations by the Justice Department and other agencies.<sup>1</sup>

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<sup>1</sup> See, e.g., Tim Golden & Sebastian Rotella, *Long-Secret FBI Report Reveals New Connections Between 9/11 Hijackers and Saudi Religious Officials in U.S.*, ProPublica (Sept. 12, 2021), <https://www.propublica.org/article/long-secret-fbi-report-reveals-new-connections-between-9-11-hijackers-and-saudi-religious-officials-in-u-s>; Tim Golden, *Declassifying the 9/11 Investigation*, ProPublica (Sept. 9, 2021), <https://www.propublica.org/article/declassifying-the-9-11-investigation>; Tim Golden & Sebastian Rotella, *The Justice Department Accidentally Released the Name of Saudi Official Suspected of Helping the 9/11 Hijackers*, ProPublica (May 13, 2020), <https://www.propublica.org/article/the-justice-department-accidentally-released-the-name-of-saudi-official-suspected-of-helping-the-9-11-hijackers>; Tim Golden & Sebastian Rotella, *Attorney General Barr Refuses to Release 9/11 Documents to Families of the Victims*, ProPublica (Apr. 15, 2020), <https://www.propublica.org/article/attorney-general-barr-refuses-to-release-9-11-documents-to-families-of-the-victims>; Tim Golden & Sebastian Rotella, *Operation Encore and the Saudi Connection: A Secret History of the 9/11*  
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As The Times explained, the public has a significant interest in understanding this high-profile case. Timely access to the sealed documents is critical to enable ProPublica, The Times, and other members of the press to adequately inform the public about this case while it is newsworthy and to enable the public to meaningfully understand and assess the pending motion to dismiss and, ultimately, the Court's ruling on that motion.

If the Court prefers, ProPublica would be happy to collaborate with The Times and any other interested news media organizations in filing a consolidated formal motion to intervene and unseal.

Thank you for your consideration of this important matter.

Sincerely,

/s/ Sarah Matthews

Sarah Matthews

Deputy General Counsel

Jeremy Kutner

General Counsel

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